

**BACKUS | BURDEN**  
 3050 SOUTH DURANGO  
 LAS VEGAS, NEVADA 89117  
 TELE: (702) 872-5555 FAX: (702) 872-5545

Jack P. Burden, Esq.  
 Nevada State Bar No. 6918  
 Jacquelyn Franco, Esq.  
 Nevada State Bar No. 13484  
**BACKUS | BURDEN**  
 3050 South Durango Drive  
 Las Vegas, NV 89117  
 (702) 872-5555  
 (702) 872-5545  
[jburden@backuslaw.com](mailto:jburden@backuslaw.com)  
[jacquelynfranco@backuslaw.com](mailto:jacquelynfranco@backuslaw.com)  
 Attorneys for Defendant  
*The Vons Companies, Inc.*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

NEREIDA HRABE-KINZER, individually;	)	<b>Case No. 2:24-cv-00691-ART-MDC</b>
	)	
Plaintiff,	)	
vs.	)	
	)	<b>STIPULATION AND ORDER TO EXTEND</b>
THE VONS COMPANIES, INC., dba Vons	)	<b>DISCOVERY DEADLINES</b>
Grocery Co #1970, a foreign limited-liability	)	
company; DOE EMPLOYEE; ROE	)	<i>Second Request</i>
OWNER/OPERATOR; DOE INDIVIDUALS	)	
2-10; ROE BUSINESS ENTITIES 2-10,	)	
inclusive jointly and severally,	)	
	)	
Defendants.	)	

In accordance with Local Rules of Practice for the United States District Court for the District of Nevada (“LR”) 26-3, THE VONS COMPANIES, INC. (“Defendant”), by and through its counsel of record Jack P. Burden, Esq. and Jacquelyn Franco, Esq. the law firm of BACKUS | BURDEN, and Plaintiff NEREIDA HRABE-KINZER (“Plaintiff”), by and through her counsel of record Jonathan Lee, Esq. of the law firm RICHARD HARRIS LAW FIRM, hereby stipulate and agree to an extension of all remaining discovery deadlines by sixty (60) days. The parties propose the following revised discovery plan:

Pursuant to Local Rule 6-1(b), the Parties hereby aver that this is the second such discovery extension requested in this matter. Further: 1) there is no danger of prejudice as the

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extension is stipulated by the Parties; 2) a sixty (60) day extension will not impact a trial date because the same has not been scheduled; 3) the Parties, their respective Counsel, and witnesses have been limited in appearing for deposition due to the Covid-19 pandemic; and 4) the requested extension is made in good faith by both Parties. *Pioneer Investment Services v. Brunswick Associate's, Ltd.*, 507 U.S. 380, 395 (1993).

## I.

### **DISCOVERY COMPLETED TO DATE**

1. Plaintiff served her Initial List of Witnesses and Documents Pursuant to FRCP 26(a), with twelve (12) supplements thereto.

2. Defendant served its Initial Disclosures of Witnesses and Documents Pursuant to Fed. R. Civ. P. 26(a)(1), with two (2) supplements thereto.

3. The Parties stipulated to a Confidentiality and Protective Order.

4. Plaintiff propounded interrogatories, requests for production, and requests for admission on Defendant; all of which were timely responded to.

5. Defendant pr propounded interrogatories and requests for production on Plaintiff; each of which were timely responded to.

6. Defendant took Plaintiff's deposition on November 26, 2024.

## II.

### **DISCOVERY TO BE COMPLETED AND REASONS**

#### **FOR EXTENSION OF DISCOVERY**

Discovery to be completed includes:

1. Supplementation of the Parties FRCP 26 Disclosures;
2. Depositions of fact witnesses;
3. Depositions of Plaintiff's treating medical providers;
4. Deposition of Defendant's employees and/or 30(b)(6) witness(es);

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5. FRCP 26(a)(2) designation of initial and rebuttal expert witnesses; and
6. Depositions of initial and rebuttal witnesses.
7. Additional written discovery and depositions as the Parties deem necessary.

### III.

#### **REASONS WHY DISCOVERY WAS NOT COMPLETED WITHIN TIME SET BY DISCOVERY PLAN**

The Parties aver, pursuant to Local Rule 6-1, that good cause exists for the requested extension. First, during the deposition of Plaintiff, new medical providers were identified; including pre- and post-slip and fall. Further, the Plaintiff continues to treat for alleged accident-related injuries. The Parties request the additional time to subpoena the new providers. Second, Defendant is currently in its busiest time of year [from Halloween through Valentine's Day]. Because of the same, store employee(s) and/or corporate 30(b)(6) witness(es) are not available to sit for deposition.

### IV.

#### **DISCOVERY DEADLINES**

Discovery cutoff:	April 4, 2025
Amending the pleadings or adding parties:	January 6, 2025
Initial expert disclosures:	January 6, 2025
Rebuttal expert disclosures:	February 3, 2025
Dispositive motions:	May 6, 2025
Joint Pre-Trial Order, if no Dispositive Motions	June 5, 2025

### VII.

#### **[PROPOSED] NEW DISCOVERY DEADLINES**

Discovery cutoff:	<i>June 3, 2025</i>
Amending the pleadings or adding parties:	<i>March 7, 2025</i>

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Hrabe-Kinzer v. The Vons Companies, Inc.  
Stipulation and Order to Extend (Second Request)

Rebuttal expert disclosures ***April 4, 2025***  
Expert disclosures: ***March 7, 2025***  
Dispositive motions: ***July 7, 2025***  
Joint Pre-Trial Order, if no Dispositive Motions ***August 7, 2025***

The Parties aver that this request for extension of discovery deadlines is made by the

Parties in good faith and not for the purpose of delay.

DATED this 3rd day of December 2024.  
**RICHARD HARRIS LAW FIRM**

DATED this 3rd day of December 2024.  
**BACKUS | BURDEN**

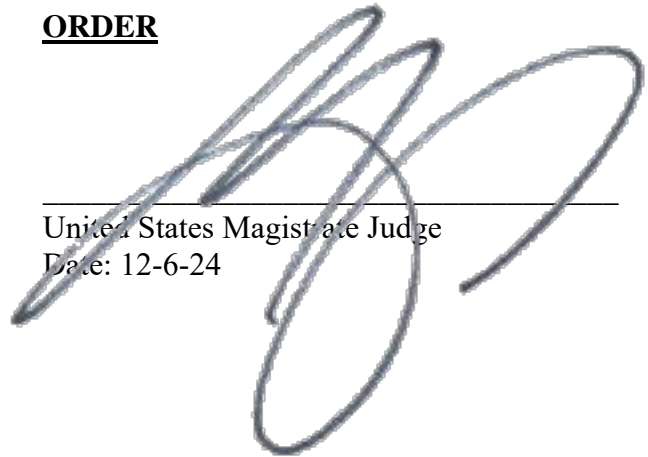
/s/ Jonathan Lee  
JONATHAN B. LEE, ESQ.  
Nevada Bar No. 13524  
801 South Fourth Street  
Las Vegas, NV 89101  
*Attorneys for Plaintiff*

/s/ Jacquelyn Franco  
JACK P. BURDEN, ESQ.  
Nevada Bar No. 6918  
JACQUELYN FRANCO, ESQ.  
Nevada Bar No. 13484  
3050 South Durango Drive  
Las Vegas, NV 89117  
*Attorneys for Defendant*

**ORDER**

IT IS SO ORDERED.

\_\_\_\_\_  
United States Magistrate Judge  
Date: 12-6-24



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